EXAMINER'S AMENDMENT

An Examiner's amendment to the record appears below. It is noted that the deletion of claims 4 and 5 is proper since the unelected Group II method claims were withdrawn without traverse in the response received April 28, 2006. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

In the Claims:

Please delete claims 4 and 5.

REASONS FOR ALLOWANCE

Claims 1, 2 and 7 are allowed.

The following is an Examiner's statement of reasons for allowance: The high electron mobility field effect transistor as recited in the claims of the instant invention fail to be taught by the prior art cited of interest.

Regarding claim 1, Tanimoto/Kuroda show a high electron mobility field effect transistor but fail to teach the specific characteristic of the structure recited in the claims of the instant invention e.g. the particulars of the stack of GaAs based material layers in combination with wherein the channel is, "an InGaAs layer as a strain channel layer...wherein said InGaAs layer has an electron mobility at room temperature of 8300 cm^2 / V* s or more, wherein undoped GaAs layers having a thickness of 4nm or more

each are laminated respectively in contact with a top surface and a bottom surface of said strain channel layer".

Further it is noted that the arguments supplied by the Applicant are convincing, where it is pointed out that on page 6 of the remarks that Tanimoto's disclosure discusses where the GaAs spacers 2 and 4 yield a structure with a significantly lower electron mobility which is contradictory to the disclosure of Kuroda, who although quotes a high electron mobility, does not provide a teaching of how a strain channel sandwiched between two undoped GaAs spacers with a thickness of 4 nm or more could result in the required electron mobilities.

Fax / Telephone Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to EDUARDO A. RODELA whose telephone number is (571)272-8797. The examiner can normally be reached on M-F, 9 AM - 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Davienne Monbleau can be reached on (571)272-1945. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

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